

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

PATRICIA PRYOR,
Plaintiff,

v.

CAROLYN W. COLVIN, ACTING
COMMISSIONER OF SOCIAL SECURITY,
Defendant.

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C.A. No. 16-376M

REPORT AND RECOMMENDATION

Patricia A. Sullivan, United States Magistrate Judge

Before the Court is Plaintiff Patricia Pryor's Motion to Proceed in Forma Pauperis (ECF No. 2), which was referred to me on July 6, 2016. Based on the averments in her financial affidavit, including her receipt of a monthly retirement payment, significant savings and ownership of a house unencumbered by a mortgage, the Court had reservations about Plaintiff's assertion of "financial desperation" and issued a text order on July 6, 2016, directing her to supplement her financial affidavit with additional information to support her application. The text order placed Plaintiff on notice that her affidavit, as presented, establishes that she has the ability to pay the filing fee. The deadline for supplementing the financial affidavit was July 27, 2016. The Court warned Plaintiff that if she failed to file her supplemental financial affidavit by that date, there would be a recommendation that her IFP Motion should be denied.

Nothing was filed in response to the Court's July 6 text order; several days have now passed since the deadline of July 27, 2016, and, as of this writing, Plaintiff has not supplemented her Motion as directed. Based on the foregoing, I recommend that Plaintiff's Motion to Proceed in Forma Pauperis (ECF No. 2) be DENIED and that Plaintiff be directed to pay the filing fee within thirty days of the adoption of this recommendation. Any objection to this report and

recommendation must be specific and must be served and filed with the Clerk of the Court within fourteen (14) days after its service on the objecting party. See Fed. R. Civ. P. 72(b)(2); DRI LR Cv 72(d). Failure to file specific objections in a timely manner constitutes waiver of the right to review by the district judge and the right to appeal the Court's decision. See United States v. Lugo Guerrero, 524 F.3d 5, 14 (1st Cir. 2008); Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603, 605 (1st Cir. 1980).

/s/ Patricia A. Sullivan
PATRICIA A. SULLIVAN
United States Magistrate Judge
August 1, 2016